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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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|---------------------------------|---|------------------------------|
| L & L WINGS, INC., | : | ECF CASE |
| | : | |
| Plaintiff, | : | 07 Civ. 4137 (BSJ) (GWG) |
| | : | |
| - against - | : | NOTICE OF DEFENDANTS' |
| | : | MOTION TO |
| MARCO-DESTIN INC., 1000 HIGHWAY | : | COMPEL DISCOVERY |
| 98 EAST CORP., PANAMA SURF & | : | |
| SPORT, INC. and E & T INC., | : | |
| | : | |
| Defendants. | : | |

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PLEASE TAKE NOTICE that, together with the accompanying Memorandum of Law, and upon all prior proceedings heretofore had herein, Defendants, by and through their undersigned counsel will move, pursuant to Rules 26, 34, and 37 of the Federal Rules of Civil Procedure, and the Local Civil Rules, for an Order compelling plaintiff L & L Wings, Inc. to produce documents responsive to Request Nos. 41, 50, and 51 of Defendants' Second Request for Production of Documents, served April 28, 2008, and to make available its witnesses knowledgeable about such documents.

Pursuant to Local Rule 6.1(a), Plaintiff's opposition is due July 1 and Defendants' Reply is due July 7, both of those dates taking into account service by mail plus the July 4th Holiday weekend.

A proposed Order is attached hereto.

Pursuant to Local Rule 6.1, plaintiff's response to this motion is due within 4 business days of receipt.

Dated: June 24 2008.
West Palm Beach, FL

Respectfully submitted,

/s/ John C. Vetter
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 24, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ John C. Vetter
John C. Vetter

SERVICE LIST

L&L Wings, Inc. v. Marco-Destin Inc., et al.

Case no. 07-Civ-4137(BSJ) (GWG)

United States District Court, Southern District of New York

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| <p>Bennett David Krasner The Law Offices of Bennett D. Krasner 1233 Beech Street No. 49 Atlantic Beach, NY 11509 (516) 889-9353 Fax: (516) 432-7016 Email: bkrasner@optonline.net</p> <p><i>Attorneys for Plaintiff,</i> Service by Notice of Electronic Filing</p> | <p>Diane C Hertz diane.hertz@bingham.com Richard S. Taffet richard.taffet@bingham.com John Paul Son john.son@bingham.com Bingham McCutchen LLP (NY) 399 Park Avenue New York, NY 10022 212-705-7000 Fax: 212-752-5378</p> <p><i>Attorneys for Plaintiff,</i> Service by Notice of Electronic Filing</p> |
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